

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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*This document relates to:*     *New York Marine and General Insurance Co. v. Al Qaida, et al.*  
Case No.: 04-CV-6105 (RCC)

**PLAINTIFF’S JOINDER RESPONSE TO DEFENDAT KHALID BIN  
MAHFOUZ’S MOTION TO SUPPLEMENT HIS MOTION TO DISMISS**

Plaintiff, NEW YORK MARINE AND GENERAL INSURANCE COMPANY (“NYMAGIC”), joins in the memoranda of law filed in opposition to Defendant KHALID BIN MAHFOUZ’S (“MAHFOUZ”) Motion to Supplement his Motion to Dismiss with a written statement of Jean-Charles Brisard by the plaintiffs in the following actions consolidated in MDL 1570 and hereby incorporates the arguments set forth therein by reference:

*Federal Insurance Co., et al v. Al Qaida, et al.*, 03 CV 06978 (S.D.N.Y.); *see* MDL 1570 ECF Docket No.: 1910;

*Estate of John P. O’Neill, Sr. v. Al Baraka Investment and Develepment Corp., et al.*, 04 CV 01923 (S.D.N.Y.); *see* MDL ECF 1570 Docket No.: 1910;

*Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al.*, 02 CV 06977 (S.D.N.Y.); *see* MDL 1570 ECF Docket Nos.: 1908, 1909;

*Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al.* 04 CV 07065 (S.D.N.Y.); *see* MDL 1570 ECF Docket No.: 1911.

For the reason set forth therein, NYMAGIC respectfully requests that MAHFOUZ's motion be denied in all respects.

Dated: October 18, 2006

Respectfully submitted,

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**NEW YORK MARINE AND GENERAL**  
**INSURANCE COMPANY**

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